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DIE STELLUNG DER BISCHÖFE VON MEISSEN, MERSEBURG UND NAUMBURG IM INVESTITURSTREIT UNTER HEINRICH IV. UND HEINRICH V. VON DR. KARL BENZ. Dresden: Justus Naumann's Buchhandlung (L. Ungelenk), 1899. Pp. 81. M. 1.50.

DR. BENZ has carefully examined the conduct of the bishops of these three bishoprics during the Saxon wars and the struggle about investiture (1073-1122). In general, he has reached the same results as have the historians of the period, but he has been able to correct some of their mistakes and misapprehensions, and to clarify some points which have hitherto been obscure. He has made it apparent that in Germany at least the struggle about investiture was in great measure the continuation of the Saxon wars, and that the opponents of Henry IV. were almost the same in both struggles. Dr. Benz insists on the far-reaching influence of the Saxon wars on the later development of affairs in Germany. These wars determined the policy of the bishops named above; they did not understand the theoretical ecclesiastical questions involved, but were influenced by the political situation.

Henry IV. reaped the fruits of the misguided policy of Otto I. in enriching and strengthening the high clergy in the vain hope that they would always aid the crown against rebellious nobles.

In an excursus Dr. Benz has shown the untrustworthiness of the annals of Lambert of Hersfeld in their account of the journey of Henry IV. to Canossa and his meeting with the pope there. There is need of still further critical work along the same line.

The author shows in his work a good critical method, sound judgment, and a thorough knowledge of the sources.

THE UNIVERSITY OF CHICAGO.

OLIVER J. THATCHER.

LA MORT CIVILE DES RELIGIEUX DANS L'ANCIEN DROIT FRANÇAIS. Étude historique et critique. Par L'ABBÉ CH. LANDRY, Docteur en Droit Canonique. Paris: Alphonse Picard et Fils, éditeurs, 1900. Pp. xii + 174.

It is a well-known fact that in France during the seventeenth and eighteenth centuries monks and nuns were deprived of their civil rights. Before the law of the land they were practically in the same position as convicted criminals. By a legal fiction they were smitten with what was called "civil death." The author attempts to determine just what this was, in what ways and to what extent it affected those concerned.

The abbé first proves that according to the legislation of Justinian the monk was in no way limited in the exercise of his civil rights. As early as the ninth century, however, there is record of a man who was deprived of his inheritance by his family because he had become a monk. Similar cases occurred during the following centuries, but there existed great uncertainty in regard to their legality. Finally, about 1500, the principle was clearly enunciated by jurists that monks, having separated themselves from the world, were no longer members of society, and consequently were without legal status. Being no longer citizens, they were without the rights of citizens. The law regarded them as dead. This civil or legal death was regarded as natural death, and had practically the same effects. The principal effects of civil death were: (1) The monk was not competent to make a contract, hence could not buy, sell, barter, exchange, etc. Like a slave or minor, he could make no personal engagement. (2) The monk was incompetent to receive or to dispose of property, whether by inheritance, by will, or by deed of gift. However, if a monk were elected abbot or bishop, he was thereby freed from his vow of poverty and could amass personal possessions. (3) Furthermore, among other incapacities the monk was incompetent to contract marriage, to be a party to a suit at law, or to act as a witness to certain important documents, such as wills.

Of these incapacities the second is the most important, and from this probably all the others were developed. It was evidently intended to put a check on the acquisition of land by the monasteries.

The author develops at some length the considerations and arguments by which such legislation was justified, and dwells on their weakness and inconsistencies. He also shows that in France, while the independence of ecclesiastical courts was admitted, the civil authority interfered in them whenever it wished.

The book abounds in interesting information.

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OLIVER J. THATCHER.

A HISTORY OF THE PEOPLE OF THE NETHERLANDS. By PETRUS JOHANNES BLOK, Professor of Dutch History in the University of Leyden. Vols. I and II. London and New York: G. P. Putnam's Sons, 1899. Pp. viii + 374; vii + 420. \$2.50 each.

THE true history of any nation must start at the beginning and continue to the latest development. It must, moreover, have many sides. Nothing more distorts or misrepresents history than a treatment